

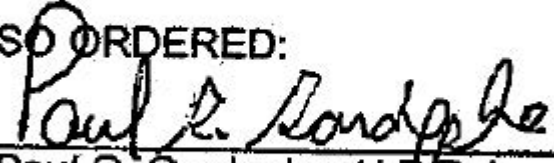
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**MEMO ENDORSED**

**The Application is granted.**

**SO ORDERED:**  
  
**Paul G. Gardephe, U.S.D.J.**

February 25, 2021

BY ECF

**Dated:** March 6, 2021

Hon. Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, NY 10007  
Phone: (212) 805-0224

**Re: Motion to Stay All Discovery Except Document Discovery Pending Resolution of Defendants' Motion to Dismiss in *Baldia v. RN Express Staffing Registry LLC, et al.*, No. 1:19-cv-11268-PGG**

Dear Judge Gardephe,

We represent Defendants RN Express Staffing Registry LLC, Sally Nunez, and Alexander Alejandrino (collectively "Defendants") in the above referenced matter, and pursuant to Section I.D of Your Honor's Individual Rules of Practice, we respectfully submit this letter motion seeking to stay all remaining discovery deadlines, including the deadline for the close of discovery, as well as the dates for the submission of any post-discovery motions, pending the Court's resolution of Defendants' pending Motion to Dismiss (Docs. 32-36). The Parties intend to continue document discovery and will meet and confer as necessary to work through any potential issues related thereto. Counsel for both Parties met and conferred on February 24, 2021, to discuss this and other discovery-related issues, and Plaintiff's Counsel has stated that Plaintiff does not oppose this Motion.

This is the third request for an extension in this matter, and the second since Plaintiff filed her Amended Complaint on July 2, 2020 (Doc. 28). Defendants filed a Motion to Dismiss Plaintiff's Amended Complaint, which was fully briefed as of September 25, 2020 (Docs. 32-36). On December 2, 2020, the Parties wrote this Court pursuant to Sections I.A and I.D of Your Honor's Individual Rules of Practice to inquire about the status of the Motion to Dismiss and to request that the Court reset the remaining discovery and dispositive motion deadlines, pending resolution of Defendants' Motion (Doc. 38). On January 4, 2021, the Court entered an Amended Civil Case Management Plan and Scheduling Order (Doc. 39), which set the deadline to serve

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requests to admit for March 8, 2021; to complete fact discovery, including depositions of fact witnesses, for March 22, 2021; to make disclosures related to expert discovery for April 2, 2021, and April 17, 2021; to complete expert discovery for May 1, 2021; and to submit a letter to the Court regarding post-discovery dispositive motions and any Opposition letters for April 1, 2021, and April 8, 2021, respectively. The pre-trial conference scheduled for March 15, 2021, was just recently rescheduled to April 22, 2021 (Doc. 49).

Specifically, Defendants seek to stay the deadlines for (1) completion of fact discovery; (2) completion of depositions; (3) requests to admit; (4) expert discovery and all related disclosures; and (5) all post-discovery dispositive motions, pending Your Honor's resolution of their Motion to Dismiss, at which point the Parties would meet and confer regarding specific deadlines going forward and propose the same to the Court.

Defendants submit that a stay of discovery as described above is reasonable and would allow the Parties to move the case forward through document discovery, while also serving the interests of judicial economy and preserving the Parties' resources. The Parties could continue to work through document discovery, which is already underway, but avoid unnecessary expense and litigation related to depositions, third party discovery, and other discovery issues, which would be obviated—or at the very least, narrowed—should Defendants prevail on their motion.

Sincerely,

A handwritten signature in blue ink that reads "Ryan P. Poscablo". The signature is written in a cursive, flowing style.

Ryan P. Poscablo

Cc: Felix Vinluan, Esq. (By ECF)  
Jude T. Palces, Esq. (By ECF)